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PATENTS  
Atty. Docket No. 45163-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit:	1645
Gayle DACE et al.	)		
	)	Examiner:	To be assigned
Serial No.: 09/879,279	)		
	)		
Filed: June 12, 2001	)		
	)		
For: IN VITRO CAPTURE OF NUCLEIC	)		
ACIDS VIA MODIFIED	)		
OLIGONUCLEOTIDES AND	)		
MAGNETIC BEADS	)		

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER And  
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 10, 2001, enclosed please find the following. Items 1-4 are in response to the Notice to File Missing Parts of Application:

1. Return copy of the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 10, 2001;
2. Check in the amount of \$280.00 to cover the surcharge for late filing of the declaration, extension fee and Assignment Recordation fee;

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: November 1, 2001

Signature:

  
Karen M. Cruz

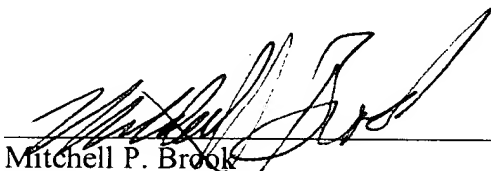
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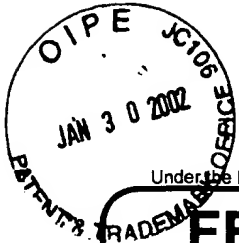
3. Combined Declaration and Power of Attorney executed by the inventors;
4. Substitute Drawings in compliance with 37 C.F.R. 1.84;
5. Assignment;
6. Recordation Form Cover Sheet;
7. Petition for Extension of Time (1 mo.); and
8. Fee Transmittal.

Although it is believed no additional fee is due for this filing, in the event that the Examiner determines an additional fee is due, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to our deposit account, No. 02-0410 in the name of Baker & McKenzie. A duplicate copy of this letter is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
Mitchell P. Brook  
Attorney for Applicant  
Reg. No. 32,967  
c/o BAKER & McKENZIE  
101 West Broadway, 12th Floor  
San Diego, California 92101  
(619) 236-1441

2006 TO 6/26/06



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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 280.00

## C m p l e if Known

Application Number	09/879,279
Filing Date	June 12, 2001
First Named Inventor	Gayle DACE et al.
Examiner Name	To be assigned
Group Art Unit	1645
Attorney Docket No.	45163-1005

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-04210  
Deposit Account Name: Baker & McKenzie

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES

Total Claims:  -20\*\* =  X  =   
Independent Claims:  -3\*\* =  X  =   
Multiple Dependent:  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	110.00
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 280.00

## SUBMITTED BY

Name (Print/Type)

Mitchell P. Brook

Registration No. (Attorney/Agent)

32,967

Complete (if applicable)

Telephone

(619) 236-1441

Signature

Date

10/31/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/879,279	06/12/2001	Gayle Dace	45163-1005

CONFIRMATION NO. 3524

## FORMALITIES LETTER



\*OC000000006406505\*

Mitchell P. Brook  
Baker & McKenzie  
Twelfth Floor  
101 Broadway  
San Diego, CA 92101

Date Mailed: 08/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

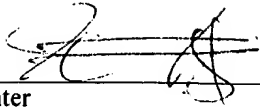
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'Z. S.', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE